

FARM TO SCHOOL: STATE LEGISLATION

Community Food Security Coalition
National Farm to School Network
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State Legislation

- Especially in recent years, a wide range and increasing number of states are passing policies to support farm to school programs and initiatives
- To date, over 70 pieces of legislation supporting farm to school have passed in more than 30 states*
- For a comprehensive list of these policies, visit www.farmtoschool.org/policies.php



Legislation Categories

The following slides will survey pieces of state legislation, organized by these main categories:

1. Project implementation
2. Creating a task force/council
3. Pilot program implementation
4. Budget appropriations or creation of an official state fund
5. Grant money allocation
6. Local preference
7. Additional reimbursements
8. Promotional event or program
9. Creating a directory or database
10. Wellness policies
11. Resolutions

Program Implementation

Establishes a statewide farm to school program and provides support from local government agencies

- Often states choose State Departments of Agriculture or Education to house the program
- Some require the program to hire a program director or establish an interdepartmental advisory council
- Most include guidance on what form the program should take – such as establishing grant-making programs or encouraging the revision of school purchasing policies

1. Program Implementation



Washington: (2008)

- Creates the Washington Grown Fresh Fruit and Vegetable Grant Program
- Permits school districts to develop policies and procedures to maximize purchases of Washington grown food, and to operate school gardens or farms

Connecticut: (2006)

- Establishes a farm to school program within the Dept of Agriculture, in coordination with the Dept of Education, to promote the sale of Connecticut-grown farm products to schools
- Includes requirements that program:
 - Solicit Connecticut farmers and facilitate procurement
 - Conduct outreach
 - Arrange for local, regional and statewide events

1. Program Implementation

Illinois: (2009)

- Creates the Farm Fresh Schools Program within the Dept of Agriculture, in cooperation with Education and Public Health Departments
- Includes a competitive grant program

Michigan: (2008)

- Calls for the coordination and development of farm to school procurement processes and procedures for school food authorities
- Establishes a farm to school program supported by the Departments of Agriculture and Education
- Requires the Department of Agriculture to establish a farm to school point of contact to coordinate efforts and disseminate information



2. Task Force/ Council

Establishes a task force, intra-agency council, or working group to implement and assess farm to school programs

- Usually outlines a broad mission for the body – combating childhood obesity, supporting rural economies, or a combination of both
- Usually requires the body to generate specific recommendations or collect a certain set of data, often with a deadline to report to relevant government agencies
- Can specify which stakeholders should be included

2. Task Force/ Council

Iowa: (2007)

- Establishes a farm to school council made up of seven members from designated groups and as selected by the governor
- Requires the council to partner with other government agencies and nonprofit organizations to facilitate the program and receive funding

Maine: (2009)

- Directs the numerous state agencies to establish a work group, consisting of various stakeholder groups
- Requires the work group to create a report to the Legislature with recommendations about how to strengthen Farm to School efforts within the state of Maine

3. Pilot Program

Establishes a temporary pilot program for farm to school activities in school districts

- Some pilot a program for increasing servings of fruits and vegetable in schools (Colorado, California)
- Others look more to the distribution and purchasing side (Vermont)



could stand on its own, or be coupled with to school initiatives or policies

3. Pilot Program

California: (2005)

- Establishes the California Fresh Start Pilot Program
- Reimburses schools 10 cents for every breakfast offering an additional serving of fruit and vegetables, encouraging schools to buy California products when commercially available
- Requires sampling of local produce as a part of nutrition education

Vermont: (2009)

- Directs a state working group to develop a pilot program to test the feasibility of centralized statewide purchasing of milk and meat for school meals

4. Budget or State Fund

Authorizes additional funding to be set aside or appropriated for farm to school programs

- Funding levels can be specified within a larger program implementation bill
- Some states have, as part of a larger state appropriations legislation related to agriculture (IA for example) or education, funds appropriated for farm to school related programs
- Some states set up a fund through which future funds can be more easily directed to farm to school programs

4. Budget or State Fund

Connecticut: (2005)

- Allocates \$100,000 annually to encourage the sale of Connecticut-grown food to schools, restaurants, retailers, and other institutions and businesses in the state

Iowa: (2007)

- Appropriates \$80,000 for farm to school programs within the annual piece of legislation that determines funding for agriculture, natural resources, and environmental protection purposes

Oregon: (2008)

- Creates the Oregon Farm to School and School Garden Program, appropriates \$95,000 from the General Fund for implementation

5. Grant Program

Authorizes grants for implementation of farm to school programs

- Outlines projects or programs for which grants or mini-grants should be awarded
- Can stipulate the maximum amount awarded, or require the grant recipient to identify matching funds from another source.

5. Grant Program

Ohio: (2008)

- Establishes the healthy farms and healthy schools grant program to support schools in educating kindergarten students and their families about the importance of choosing healthy, locally produced foods and to increase awareness of agriculture in Ohio

Vermont: (2006)

- Establishes a mini-grant program with maximum awards of \$15,000 to help schools increase their use of local farm products and/or teach children about farm to school connections



6. Local Preferences

Encourages state organizations, agencies and schools to use local produce by allowing purchasing preferences for state-produced agricultural products

- Some raise the small purchases threshold price – the price under which purchases can be made without a formal competitive bid process – making it easier for more farmers to sell to schools & school districts
- Others set a percentage cost preference above the lowest bid for locally-grown products



6. Local Preferences

Alaska: (2010)

- Amends the Procurement Code to grant a 7% cost preference for agricultural products harvested in the state – rather than to the lowest bid

Michigan: (2008)

- Creates a state law exception allowing school districts and other school entities to make food purchases costing less than \$100,000 without formal competitive bids

Montana: (2007)

- Establishes an optional procurement exception that is applicable to the purchase of Montana-produced food products

7. Additional Reimbursements

Allows schools to receive additional reimbursement money for serving local food in meals. Only two states have established such programs:

California: (2005)

- Reimburses schools 10 cents for every breakfast offering an additional serving of fruit and vegetables, encouraging schools to buy California products when commercially available

Washington, D.C.: (2010)

- The legislation creates an extra 5-cent reimbursement for meals with locally-grown and unprocessed foods

8. Promotional Program

Establishes a statewide promotion program or event that will promote local agriculture and foods to children

- Many states establish a farm to school promotional week in the fall that promote local agriculture and foods to children through school meals and classroom activities
- Others establish a locally-grown promotional labeling program, such as the Kentucky Proud brand or the Connecticut Farm Fresh School label

9. Directory or Database

Directs state agencies to establish a website or list of participating schools and producers to facilitate local procurement.

- Usually features farmers interested in selling to schools, schools interested in purchasing from farms, or both
- Includes necessary contact and purchasing information, and often hosted on the internet for easy access



9. Directory or Database

Virginia: (2007)

- Requires the Commissioner of Agriculture and Consumer Services to establish and maintain a public website that facilitates and promotes the purchase of VA agricultural products by schools, universities, and other educational institutions

North Carolina: (2006)

- Establishes Farm to School administrator that would develop and maintaining a list of farmers interested in selling farm products to school systems

10. Wellness Policy

Encourages farm to school efforts as part of a broader wellness or food security policy

- States can use legislation to emphasize that farm to school programming has the potential to benefit the well-being of the state as a whole
- Examples include:
 - Banning soft drink sales (California, 2001),
 - Requiring schools to be held accountable to their wellness policies (D.C. 2010)
 - Incorporating school food issues into larger legislation promoting food security (Oklahoma, 2007)

For information and examples on how to include farm to school initiatives in school or school district wellness policies, visit <http://www.foodsecurity.org/F2Cwellness.html>

11. Resolutions

Encourage or recommend farm to school programs or policies across the state, in state departments, or on the Federal level

- A nonbinding, no-cost way to express and build support for farm to school initiatives
- Can urge or recommend state-level action, or they can be used to endorse pieces of national legislation



11. Resolutions

Hawaii: (2010)

- Urges the Legislature to support a farm to school program and to implement a statewide policy.

New Hampshire: (2008)

- Encourages schools and their food service directors to put more emphasis on procuring local food and to search out in their locales

Vermont: (2004)

- Urges the United States Congress to enact the proposed "Farm to Cafeteria Projects Act" or similar legislation

Other Support

Topics not included in previous categories include:

- Investment program as part of a broader economic development policy (Vermont 2009)
- Local food procurement goal-setting (Illinois 2009)
- Projects focused on processing or distribution infrastructure (Montana 2009, Vermont 2007)
- Income tax credit incentives (Rhode Island 2007)

No-Cost Legislative Options

The following are some places to start with farm to school legislation if state resources are tight:

- Resolutions
- Supporting Local Preferences
- Task Force/Working Group
- Promotional event/program
- Authorizing agencies to seek funds
- Suggestions/Recommendations

TIMELINE

2001

New Mexico, HJM 34

2002

Washington, HB 2657

New York, N.Y. Laws,
Article 2,

Scn 16, subdivision 5-b

2003

Connecticut, SB 589

Delaware, HR 74

New Mexico, JHM 34

New York, S 6024

Pennsylvania, HR 821

Vermont, SJR 59

2005

California, SB 281

Colorado, HB 1307

Connecticut, PA 05-228

2006

Colorado, SB 127

Connecticut, HB 5847

Kentucky, KRS 45A.645, HB
669

Maryland, HB 883

Massachusetts, HB 4429

Oklahoma, HB 2655

Pennsylvania, HB 1209, SB
1209

Vermont, HB 456

TIMELINE

2008

Georgia, SB 44

Illinois, HB 78, HB 3990

Kentucky, HB 484

Maine, HP 784

Montana, HB 583

Texas, SB 1027

Vermont, HB 192, HB 313

Wisconsin, AB 746

2010

Alaska, HB 225, HB 70

Colorado, SB 10-081

Delaware, HB 203

D.C., B 18-0564

Florida, CS-SB 140

Hawaii, SR 67, CCR 305-10

Illinois, SB 615

Massachusetts, HB 4919

North Carolina, HB 1832

Virginia, HJR 95